REMARKS/ARGUMENTS:

In the Office Action dated May 2, 2006, the Examiner has rejected all pending claims 1-8 and 10-43 based on prior art. More specifically, the Examiner rejected claims 1-3, 5-8, 14, 15, 17-19, 22 and 29-39 under 35 USC 102(e) as being anticipated by Tanaka et al. (US 6435969), and has rejected claims 16 and 20 under 35 USC 103(a) as being unpatentable over Tanaka et al., and has rejected claims 4, 23-28 and 40-41 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Bird et al. (US 6323884), and has rejected claims 10, 11, 12 and 13 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Yamada (US 5874941), and has rejected claim 21 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Ghisler (US 5953657), and 43 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Bird et al. further in view of Osga (US 5757358). These rejections are addressed below.

Claims 4-5, 9, 17-22, 27-29, 36, and 43 have been canceled. Claims 1, 23 and 37-38 have been amended. Claims 44-48 have been added.

Support for the above amendments may be found at least on page 8, lines 13-14, on page 10, lines 5-10, and on page 13, line 1-7. No new matter is added.

Amended Independent Claim 1 recites:

> **A method comprising:**
> **receiving a signal from a dual-state button having a single depressed state, for moving the focus in a given direction;**
> **providing, in response to receiving said signal, predefined acceleration data for accelerating said focus in said given direction; determining a position of the focus on a graphical display as a function of said acceleration data;**
> **displaying the focus at said position <u>on said display;</u>**

highlighting an object for selection using said focus; and

receiving an instruction to select said object.

It is noted that the Examiner rejected claims 1-3, 5-8, 14, 15, 17-19, 22 and 29-39 under 35 USC 102(e) as being anticipated by Tanaka et al. As anticipation of claim 1 the Examiner states that Tanaka et al. teaches a method of selecting an object by controlling movement of a focus on a graphical display (column 20, lines 60-66); determining a position of the focus (column 20, lines 40-59); and displaying said focus at said position (column 20, lines 60-66). The language cited by the Examiner does actually teach "one of the two primary means of doodling" in Tanaka et al. (column 20, lines 15-16). Further Tanaka et al. explains that "the user may manipulate the cursor and select the buttons of the portable game machine to draw lines on the pre-selected captured image that is being processed" (column 20, lines 31-33). Tanaka et al. clearly does not anticipate claim 1, as clarified, which recites in part "**on said display; highlighting an object for selection using said focus; and receiving an instruction to select said object.**"

Furthermore, in the entirety of Tanaka et al., no disclosure is made of a method to highlight an object for selection using a cursor. Instead, in Tanaka et al. there is no express disclosure of how an object is first selected. As support for this distinction, Tanaka et al. discloses "The image selected by the player is retrieved and displayed on the portable game machine display device 22" (column 15, lines 59-61), and "The player then manipulates a cursor using the input keys described above to select a set of coordinates of the selected captured image" (column 15, lines 61-63). And as further support for this distinction, in Tanaka et al., "A user, or subsequent viewer, of the images having associated hot spots may then attempt to locate the hot spot using the cursor of the portable game device to see what associated effect is performed when the hot spot is discovered" (column 3, lines 50-54). In Tanaka et al. the "hot spot is generally defined to be a pre-selected portion of an image with which a particular function or effect is associated" (column 3, lines 41-43). Therefore, the disclosure in Tanaka et al. does not teach a method to select the object, but rather as shown above provides a means to select a set of coordinates on a pre-selected object.

The amended claim 1 explicitly recites the elements of highlighting an object for selection using the focus and receiving an instruction to select the object. In Tanaka et al. the use of the cursor as cited by the Examiner in the rejection is restricted to drawing in pre-selected objects. Clearly in Tanaka et al. there is no express disclosure of how an object is first selected. It is submitted that Tanaka et al. does not anticipate the claimed subject matter in Claim 1 and thus, it is respectfully requested that the independent claim 1 be allowed.

Therefore, for at least the reason that the claims 2-3, 6-8, 10-16, 23-26, 30-35 and 37-42 depend from claim 1, we respectfully submit that these claims all be allowed.

The Examiner's rejection of claims 23-26 and 40-41 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Bird et al. is respectfully traversed. Bird et al is not seen to cure the above deficiencies of Tanaka respecting independent claim 1, from which claims 23-26 and 40-41 depend.

Amended Independent Claim 23 recites:

> **determining, in dependence upon said direction of motion, which one of said plurality of objects is the intended destination of said focus; and highlighting said one object for selection.**

The disclosure in Bird et al. teaches "The present invention (Bird et al.) is preferably implemented within an application program" (column 4, lines 11-12) of which "An application program for which the services of the services component (in Bird et al.) are required" (column 4, lines 44-45). Furthermore, Bird et al. teaches that "the application program needs to maintain its own state information and to calculate which GUI elements are valid selections, and this information is provided to the service component when required" (column 4, lines 51-55). However, Tanaka et al. does not disclose an application program which maintains its own state information to calculate which GUI elements are valid selections. As stated above, Tanaka et al. discloses a method to use a cursor to draw lines, or select a set of coordinates, on a

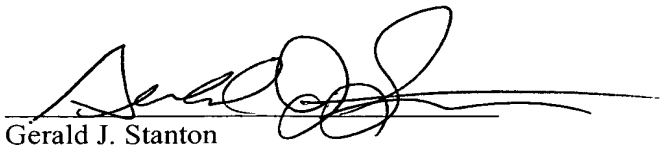
pre-selected captured image. However, as detailed above with respect to claim 1, Tanaka et al. does not disclose **highlighting an object for selection using said focus; and receiving an instruction to select said object**. Therefore, it is apparent that Tanaka et al. does not disclose maintaining its own state information to calculate which GUI elements are valid selections. Thus, it clearly would not be obvious to one skilled in the art to combine Tanaka et al. and Bird et al. at least for the reason that there is no basis to support combining references as there is no disclosure by Tanaka et al. that the portable game machine includes an "application program for which the services of the services component (of Bird et al.) are required" (col. 4, line 44-45).

Respectfully, it is submitted that for at least these reasons claims 23-26 and 40-41 should be allowed.

Furthermore, for at least the reasons stated above, the Examiner's rejection of claims 10-13 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Yamada (US 5874941), and the Examiner's rejection of claims 21 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Ghisler (US 5953657), and Examiner's rejection of claim 43 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Bird et al. further in view of Osga (US 5757358), are all respectfully traversed, as none of those additional references cure the above detailed shortfalls in Tanaka and/or the Tanaka/Bird combination.

The Examiner is respectfully requested to review the claims in view of the above amendments and arguments, to withdraw the rejections and to pass claims 1-3, 6-8, 10-16, 23-26, 30-35, 37-42, and 44-48 to issue. The undersigned representative welcomes the opportunity to resolve any matters that may remain, formal or otherwise, via teleconference at the Examiner's discretion.

Respectfully submitted:



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